

011404

15392 U.S. PTO

## Express Mail Mailing Label No. EV399912114US

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

BSC-124DV

First Named Inventor

Gellman

Title

Shear-Sensitive Injectable Delivery System

31355 U.S. PTO  
10757159

011404

## APPLICATION ELEMENTS

ADDRESS TO: Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-14501. ☒ Fee Transmittal Form2. ☐ Small Entity Status☐ Applicant claims small entity status☐ Status established in prior application and is still proper and desired3. ☒ Specification and Drawings [Total Pages 24]

- Written Description - (12 pages)

- Claims - (4 pages)

- Abstract - (1 page)

- Sheets of Drawings -

☒ Formal (7 sheets)☒ Informal (7 sheets)4. ☒ Oath or Declaration [Total Pages 3]a. ☐ Newly executed (original)b. ☒ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

5. ☐ Incorporation by Reference (usable if Box 4b is checked)

The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☒ Application Data Sheet7. ☐ Nucleotide and/or Amino Acid Sequence Submission☐ Computer Readable Form (CRF)☐ Paper Copy (identical to computer copy)☐ CD (2 copies) (identical to computer copy)☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)  
☐ Power of Attorney9. ☐ English Translation Document (if applicable)10. ☐ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations11. ☒ Preliminary Amendment12. ☒ Return Receipt Postcard (specifically itemized)13. ☐ Certified Copy of Priority Document(s) (if foreign priority claimed)14. ☐ Nonpublication Request Under 35 U.S.C. 122(b)15. ☐ CD in duplicate for large table or computer program16. ☒ Other:  
Transmittal of Formal Drawings17. ☒ If a CONTINUING APPLICATION: Amend the specification by inserting on page 1, before the first line, the sentence:  
--This is a☐ continuation ☒ divisional ☐ continuation-in-part of prior application Serial No. 09/487,436, filed on January 19, 2000, the entire disclosure of which is incorporated by reference herein.--

Priority to the above application(s) is claimed under 35 U.S.C. 120.

Prior application information: Examiner: Kevin C. Sirmons. Group/Art Unit: 3763.

18. ☐ Priority - 35 U.S.C. 119☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.☐ The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_/\_\_\_\_ on \_\_\_\_.☐ The certified copy will follow.

## CORRESPONDENCE ADDRESS

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High Street Tower  
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Boston, MA 02110  
Tel. No.: (617) 248-7000  
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Customer No. 021323

## SIGNATURE BLOCK

Date: January 14, 2004  
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Tel. No.: (617) 248-7374  
Fax No.: (617) 248-7100

Respectfully submitted,

Robert J. Tosti  
Attorney for the Applicant  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
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Boston, MA 02110

3004528\_1

011404

15992 U.S. PTO

Express Mail Label: EV399912114US

# FEE TRANSMITTAL FY 2004

Complete if Known	
Application Serial Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Gellman
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	BSC-124DV

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																				
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	3. ADDITIONAL FEES <table style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Large Entity Fee (\$)</th><th style="width:15%;">Small Entity Fee (\$)</th><th style="width:40%;">Fee Description</th><th style="width:30%;">Fee Paid</th></tr> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr> <tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>420</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>2010</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>770</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>770</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr> <tr><td>110</td><td>55</td><td>Submission of Terminal Disclaimer</td><td></td></tr> <tr><td colspan="2">Other fee (Specify)</td><td></td><td></td></tr> <tr><td colspan="2">Other fee (Specify)</td><td></td><td></td></tr> </table>	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1480	740	Extension for reply within fourth month		2010	1005	Extension for reply within fifth month		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement		770	385	Filing a submission after final rejection (37 CFR 1.129(a))		770	385	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		110	55	Submission of Terminal Disclaimer		Other fee (Specify)				Other fee (Specify)			
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit. 3. <input type="checkbox"/> Applicant claims small entity status.																																																																																					
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Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100																																																																																					
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Gellman  
APPLICATION NO. Not yet assigned GROUP NO. Not yet assigned  
FILING DATE: Herewith EXAMINER: Not yet assigned  
TITLE: Shear-Sensitive Injectable Delivery System

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF FORMAL DRAWINGS**

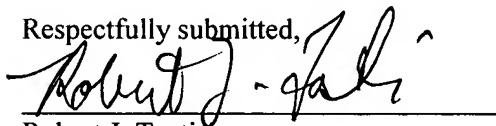
Sir:

Attached please find the formal drawings for this application, corresponding to Figs. 1, 2, 3A 3B, 3C, 3D, 3E, 4, 5, 6A, and 6B - Number of Sheets - 7.

Date: January 14, 2004  
Reg. No. 35,393

Tel. No: (617) 248-7374  
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Respectfully submitted,



Robert J. Tosti  
Attorney for Applicant  
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